

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2991 OF 2006
IN
SUIT NO.3310 OF 2002

Shri. Sachin Dattatraya More ...Plaintiff
V/s.
Smt. Shamika Milind Loke ...Defendant

Mr. J.S. Kini, Advocate, for the Plaintiff.

Mr. A.L. Patki, Advocate, i/b. Dahibawkar & Co.,
for the Defendant in support. Defendant No.1.

Mr. Bhagat, Representative of C.R. is present.

CORAM : S.J. VAZIFDAR, J.
DATED : 4TH SEPTEMBER, 2006.

P.C. :

. By consent the Notice of Motion is placed on board and heard finally. This is a mercy petition.

2. The Defendant has lost in every proceedings including in the Supreme Court. The Defendant seeks indulgence for the last time only to enable her to remove articles from the suit premises. The Defendant is present in the Court.

3. The following order is passed with the Defendant's consent :-

(i) The Defendant shall deposit a sum of Rs.15,000/- in cash with the Court Receiver on or before 7th September, 2006.

(ii) The Defendant shall hand over, vacate and peaceful possession of the premises to the Court Receiver on or before 18th September, 2006.

(iii) In the event of the Defendant failing to hand over possession as aforesaid, the Court Receiver is ordered and directed to take forcible possession of the said premises and to hand over the said sum of Rs.15,000/- to the Plaintiff without further orders from this Court.

(iv) The Defendant further agrees and undertakes if for any reason the handing over of possession is delayed, she will pay compensation to the Plaintiff at Rs.2,000/- per day.

4. Notice of Motion is accordingly disposed of.

. All parties to act on the ordinary copy of

this order duly authenticated by the Personal
Assistant.